

PROPOSITION 114

ANALYSIS BY LEGISLATIVE COUNCIL

1 Proposition 114 would amend the Arizona Constitution to provide that a crime
2 victim is not liable for damages incurred by a person who was harmed while attempting,
3 engaging in or fleeing from conduct that is classified as a felony offense.

4 Under current law, Article II, section 31 and Article XVIII, section 6 of the
5 Arizona Constitution generally provide that the right to recover for damages for death or
6 injury may not be limited. Proposition 114 would amend these sections of the Arizona
7 Constitution to provide an exception that a crime victim is not subject to a claim for
8 damages by a person who is harmed while attempting to engage in conduct classified as a
9 felony offense, while engaging in conduct classified as a felony offense or while fleeing
10 from such conduct.

11 Article II, section 2.1 of the Arizona Constitution provides that a "victim" is a
12 person against whom a criminal offense has been committed, or if that person is killed or
13 incapacitated, that person's spouse, parent, child or other lawful representative.